

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
ARTURO ESTEVEZ, individually and on	:	
behalf of all others similarly situated,	:	
	:	
Plaintiff,	:	21-CV-8845 (VSB)
	:	
-against-	:	<b><u>ORDER</u></b>
	:	
BELLA ROSE PASSION ESSENTIALS,	:	
LLC,	:	
	:	
Defendant.	:	
-----	X	

VERNON S. BRODERICK, United States District Judge:

Plaintiff Arturo Estevez filed the complaint in this action on October 28, 2021. (Doc. 1.)


On December 3, 2021, Defendant Bella Rose Passion Essentials, LLC submitted a letter requesting that I dismiss this case. (Doc. 7.) On December 10, 2021, Plaintiff filed a letter requesting that I ignore Defendant's letter because Defendant is a corporation and had not retained counsel. (Doc. 8.) On December 13, 2021, I issued an order that Defendant shall retain counsel and direct counsel to file an appearance on ECF on or before December 23, 2021. (Doc. 9.) I indicated I would not consider Defendant's letter because corporations may only appear in federal court through licensed counsel. (*Id.*) I further ordered that Defendant shall file its answer or otherwise respond to the complaint on or before January 3, 2022. (*Id.*) I ordered Plaintiff to seek a default judgment by no later than January 10, 2022 if Defendant failed to answer the complaint by January 3, 2022. (*Id.*) I warned Plaintiff that failure to do so would risk dismissal of the action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). (*Id.*) Defendant has not filed an appearance or responded to Plaintiff's complaint, and Plaintiff has not sought an order of default judgment by the deadline. It is hereby:

ORDERED that this case be dismissed pursuant to Federal Rule of Civil Procedure 41(b).

The Clerk of Court is respectfully directed to close the case.

SO ORDERED.

Dated: January 18, 2022  
New York, New York

  
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VERNON S. BRODERICK  
United States District Judge